



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Introduction of Ordinance Establishing the Redevelopment Agency of the City of Lodi

MEETING DATE: June 16, 1999

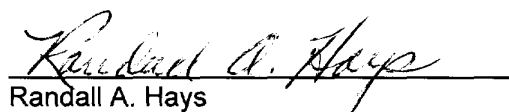
SUBMITTED BY: Randall A. Hays, City Attorney

RECOMMENDED ACTION: Introduce the ordinance for first reading.

BACKGROUND INFORMATION: Following the presentation to Council regarding the implementation of a Redevelopment Agency, you directed staff to work toward such establishment. The introduction of this ordinance is the first statutory step to such establishment. Once the ordinance has been adopted and is effective, the Agency will be in place. At that time, administrative and procedural elements of the Agency will be presented for consideration by the Council and the Agency.

FUNDING: None

Respectfully Submitted,


Randall A. Hays
City Attorney

APPROVED: _____


H. Dixon Flynn -- City Manager

ORDINANCE NO. 1675

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI
AMENDING TITLE 2 – ADMINISTRATION AND PERSONNEL OF THE
LODI MUNICIPAL CODE BY ADDING CHAPTER 2.52 DECLARING
THE NEED FOR A REDEVELOPMENT AGENCY TO FUNCTION IN
THE CITY OF LODI AND DECLARING THE CITY COUNCIL TO BE
THE REDEVELOPMENT AGENCY FOR THE CITY OF LODI

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WHEREAS, the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.) in Section 33100 creates in the City of Lodi a public body, corporate and politic, known as the redevelopment agency, for the purposes of exercising the powers granted by the Community Redevelopment Law; and

WHEREAS, Section 33200 of the Community Redevelopment Law provides that as an alternative to the appointment of five (5) members of the redevelopment agency, the City Council may declare itself to be said agency, in which case all rights, powers, duties, privileges and immunities of the redevelopment agency shall be vested in the City Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LODI DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. It is hereby found, determined and declared that there is a need for a redevelopment agency to function in the City of Lodi in accordance with the provisions of the Community Redevelopment Law.

Section 2. Said redevelopment agency is hereby established pursuant to Section 33101 of the Community Redevelopment Law, to be known as the Redevelopment Agency of the city of Lodi. Said redevelopment agency is hereto authorized to transact business and exercise its powers under the provisions of the Community Redevelopment Law.

Section 3. Pursuant to the provisions of Section 33200 of the Community Redevelopment Law, this City Council hereby declares itself to be the Redevelopment Agency of the City of Lodi.

Section 4. The City Council hereby finds and determines that the designation of the City Council as the Redevelopment Agency of the City of Lodi will serve the public interest and promote the public health, safety and welfare in an effective manner in that this public body is best able to serve the needs of the community to implement the purposes of the Community Redevelopment Law.

Section 5. The City Clerk is hereby directed to cause a certified copy of this ordinance to be filed in the office of the County Clerk.

Section 6. This ordinance shall become effective thirty (30) days after its final passage and adoption.

Section 7 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 8 - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the

provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

Section 9. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 10. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this ____ day of _____, 1999

KEITH LAND
Mayor

Attest:

ALICE M. REIMCHE
City Clerk

State of California
County of San Joaquin, ss.

I, Alice M. Reimche, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1675 was introduced at a regular meeting of the City Council of the City of Lodi held June 16, 1999 and was thereafter passed, adopted and ordered to print at a regular meeting of said City Council held _____, 1999 by the following vote:

Ayes:	Council Members -
Noes:	Council Members -
Absent:	Council Members -
Abstain:	Council Members -

I further certify that Ordinance No. 1675 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

ALICE M. REIMCHE
City Clerk

Approved as to Form:



RANDALL A. HAYS
City Attorney